IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

OP.No. 2512 of 1999(Y)

PETITIONERS:

1.Jose Kuttiyani, Chairman, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

2. Vakkom Rasheed, Vice Chairman, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

3. Mathew Kulanthingal, Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

4. Joseph Chirayat, Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

5. R.Dharman, Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

6. N.V.Jacob,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

7. K.G.ThankappanDirector, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

8. Vasu Thottathil,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

9. Joseph Mandapam,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

10. E.Kunhikelu Nair,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

11. K.C.Vijayan,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

12. N.K.Abdul Rahman,Director, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

BY ADV. SMT.LUCY CHRISTINA MULLOOR

RESPONDENTS:
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1. State of Kerala, represented by the Chief Secretary, Government Secretariat, Thiruvananthapuram.

2. The Registrar of Co-operative Societies, Thiruvananthapuram.

3. The Administrator, Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20.

4. The Kerala State Co-operative Marketing Federation Limited, Gandhi Nagar, Cochin 20, represented by the Managing Director.

BY GOVERNMENT PLEADER SRI. SANDESH RAJA FOR R1 & R2
SRI.D.SOMASUNDARAM
SRI.T.P.KELU NAMBIAR (SR.)

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP 2512/99

APPENDIX

Petitioners' Exts:

Ext.P1 true copy of the communication to the 1st petitioner by his counsel dated nil.

Ext.P1(a) true copy of the letter addressed to the 1st petitioner by his counsel dated 27.3.1998.

Ext.P2 true copy of the notice to the petitioner.

Ext.P3 true copy of the show cause notice dated 22.8.1998.

Ext.P4 true copy of the reply submitted before the 2nd respondent dated 18.9.1999.

Ext.P5 true copy of the clarification No.Ref. No.D.O./SP/APO/8334/91-92 dated 18.11.1998.

Ext.P6 true copy of the clarification No.Ref.No.SP/APO/8334/91-92 dated 27.11.1998.

Ext.P7 true copy of the request submitted before the Chief Minister by the 1st petitioner dated 11.12.1998.

Ext.P8 true copy of the proceedings G.O.(Rt)No.8800/98/GAD dated 15.12.1998.

Ext.P9 true copy of the clarification No.MP(6) 48239/98 dated 15.12.1998.

Ext.P10 true copy of the minutes of the Board of Directors which was held on 13.1.1999.

Ext.P11 true copy of the communication No.12241/A2/98/Co-op, dated 30.12.1998.

Ext.P12 true copy of the proceedings of the Registrar of Co-operative Societies No.MP (5 4208/99 dated 25.1.1998.

Ext.P13 true copy of the proceedings of the Administrator assuming charge.

Ext.P14 true copy of the proceedings of the Registrar of Co-operative Societies No.MP(5) 4208/99 dated 27.1.1999.

Ext.P15 true copy of the request of the Managing Director dated 22.3.1999 to the 1st petitioner.

Ext.P16 true copy of the proceedings of the Registrar of Co-operative Societies dated 22.3.1999.

Ext.P16(a) true copy of the letter of the Managing Director dated 22.3.1999 to the 1st petitioner.

Second Respondent's Exts:

Ext.R2 -1 true copy of the arbitration note in ARC 1/92-93.

Ext.R2 -2 true copy of the arbitration note in ARC 2/92-93.

Ext.R2 -3 true copy of the arbitration note in ARC 3/92-93.

Ext.R4 -4 true copy of the arbitration note in ARC 4/92-93.

Ext.R2 – 5 true copy of the arbitration note in ARC 1/91-92.

Ext.R2 – 6 true copy of the arbitration note in ARC 2/91-92.

Ext.R2 -7 true copy of the arbitration note in ARC 3/91-92.

Ext.R2 -8 true copy of the arbitration note in ARC 4/91-92.

Ext.R2 -9 true copy of the arbitration note in ARC 5/91-92.

Ext.R2 -10 true copy of the letter dated 12.2.96 of Jayan TT George along with valuation certificate.

Ext.R2 -11 true copy of the letter No.DO/ADMN/DEF/SUP/Arbitrator dated 19.11.98.

Ext.R2 -12 true copy of the letter dated 26.11.97 of NK Abdulrahiman.

Ext.R2 -13 true copy of bill No.26 dt. 19.6.97.

Ext.R2 -14 true copy of Bill No.589.

Ext.R2 -15 true copy of inpass No.634 dated 19.6.97.

Ext.R2 -16 true copy of Bill No.2137 dated 19.6.97.

Ext.R2 -17 true copy of outpass no.737 dt. 19.6.97.

Ext.R2 -18 true copy of sale bill No.420 dt. 19.6.97.

Ext.R2 -19 true copy of the sale bill No.421 dt. 19.6.97.

Ext.R2 -19A true copy of bill No.440 dt. 25.4.97.

Ext.R2 -19B true copy of bill No.538 dt. 2.5.97.

Ext.R2 -19C true copy of purchase Bill No.2116 dt. 25.4.97.

Ext.R2 -20 true copy of letter dt. 11.4.97 issued by Noolpuzha Rubber & Marketing Society.

Ext.R2 -21 true copy of cash payment voucher dated 23.4.97.

Ext.R2 -22 true copy of the letter dt. 26.3.97 of Noolpuzha Society.

Ext.R2 -23 true copy of the letter dt. 5.3.97 of Noolpuzha Society.

Ext.R2 -24 true copy of letter dt. 16.4.97 of Noolpuzha Society.

Ext.R2 -25 true copy of letter dt. 26.3.97 of Noolpuzha Society.

Ext.R2 -26 true copy of letter dt. 23.1.97 of letter dt. 23.1.97 of Noolpuzha Society.

Ext.R2 -27 true copy of the cash payment voucher dt. 26.3.97.

Ext.R2 -28 true copy of the cash payment voucher dt. 18.3.97.

Ext.R2 -29 true copy of the cash payment voucher dt. 24.3.97.

Ext.R2 -30 true copy of cash payment voucher dt. 26.3.97.

Ext.R2 -31 true copy of cash payment voucher dt. 24.1.97.

Ext.R2 -32 true copy of letter R6.311192/97D issued by RTO.

Ext.R2 -33 true copy of letter dt. 25.10.97 of Sunder Wheat Roller Flour Mills (P) Ltd.

Ext.R2 -34 true copy of letter dt. 30.8.97 of Kerala Roller Flour Millers Association.

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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O.P.No.2512 of 1999
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Dated this the 21st day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Learned counsel for the petitioners submits that this Original Petition has become infructuous and that it can be dismissed. Accordingly, this Original Petition is dismissed as infructuous.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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